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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/537,340	12/16/2005	Christopher John Holloway		3463

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UNITED KINGDOM

EXAMINER

BOSWELL, CHRISTOPHER J

ART UNIT	PAPER NUMBER
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3673

MAIL DATE	DELIVERY MODE
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04/03/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/537,340

Applicant(s)

HOLLOWAY ET AL.

Examiner

CHRISTOPHER BOSWELL

Art Unit

3673

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 37-75 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 37 is/are allowed.
- 6) ☒ Claim(s) 38-44, 50, 51, 67-71, 74 and 75 is/are rejected.
- 7) ☒ Claim(s) 45-49, 52-66, 72 and 73 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 38, 39 and 50 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 5,322,365 to Teufel et al.

Teufel et al. disclose a storage apparatus, comprising a containing means (10) for containing, a sliding means (140) for sliding, and a storage means (13) for storing, wherein the sliding means is removably secured in the containing means (figure 8) and the containing means is removably secured to the storage means (figure 1), wherein the sliding means is removably secured in the containing means by a separate mechanism independent from how the containing means is removably secured to the storage means (the sliding means and containing means are secured via element 156; the containing means are secured to the storage means via element 12), as in claim 38.

Teufel et al. also disclose a key (any tools capable of removing the retainer) for releasing a locking action (156) securing the sliding means to the containing means (column 9, lines 16-18), as in claim 39, as well as the containing means has a front side (31) and a back side (the rear side of the containing means), and one of the front side and the back side is insertable into the storage means (figure 1), as in claim 50.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 51, 67-71 and 74-75 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Publication Number 2005/0011423 to Mercier.

Mercier additionally discloses a security apparatus, comprising: a top part (the top half of 3a) having a pair of top slots (top portion of slots 51) on its sides, and a bottom part (the bottom half of 3a) having a pair of bottom slots (bottom portion of slots 51) on its sides, a web (the bottom surface of 3a), a pair of runners (the bottom shoulders that form slot 51), an entry opening (52) leading to a pair of locking arms (71) each with a distal guide, wherein a box (3a) is formed by coupling the top part to the bottom part and forming a pair of coincide slots (51) by having the pair of top slots coincide with the pair of bottom slots (figure 7), and wherein the box contains the pair of locking arms (when in the locked condition, the box contains the locking arms; figure 4c), as in claim 51.

Mercier also discloses the pair of locking arms each further comprises a proximal guide (channel in element 7), as in claim 67, wherein the pair of locking arms each further comprises a lug (end portion of element 71), as in claim 68, as well as the lug is located anywhere between the distal guide and the proximal guide (figures 4a-4c), as in claim 69, and a placement of one of the pair of lugs on one of the pair of locking arms may be different from a placement of another of the pair of lugs on another of the pair of locking arms (depending on the size and shape of the box 3; figures 8a-8f), as in claim 70, wherein a size of one of the pair of lugs on one of the pair of locking arms may be different from a size of another of the pair of lugs on another of the pair of locking arms (depending on the size and shape of the box 3; figures 8a-8f), as in claim 71.

Mercier further discloses adjacent the entry opening is a pair of parallel webs (11) capable of supporting a key inside the box (the key being the access code for control system 10; wherein the access code is contained within the controls system of the box), as in claim 74, as well as the pair of locking arms are situated on the bottom part by mounting onto a pair of circular mounting ends (figures 4a-4c), as in claim 75.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 40-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teufel et al., as applied above, in view of U.S. Patent Number 6,698,258 to Westwinkel.

Teufel et al. disclose the invention substantially as claimed. However, Teufel et al. do not disclose the means to secure the containing means to the storage means. Westwinkel teaches of a storage apparatus (figure 8) having a containing means (31 and 33) and a storage means (42), where the containing means is removably secured to the storage means via a pair of push rods (10 and 16) for releasing the contains means from the storage means (column 8, lines 20-34 and 49-63). All of the component parts are known in Teufel et al. and Westwinkel. The only difference is the combination of the "old elements" into a single device by mounting them on a single chassis. Thus it would have been obvious to one having ordinary skill in the art to secure the contains means to the storage means by utilizing push rods as taught by Westwinkel onto

storage apparatus in Teufel et al., since the operation of the securing means is in no way dependent on operation of the operation of the other components in the storage apparatus, and the securement means could be used in combination with storage apparatus to achieve the predictable results of securing the containing means to the storage means.

Teufel et al. further disclose the containing means is formed by coupling a top part (31) to a bottom part (32 and 33) to render a pair of coincide slot (slots formed at the junction of the top part and bottom part) on two sides of the containing means, as in claim 41, and the top part has a pair of top slots (slots formed between the horizontal and vertical ridges) situated on a plurality of exterior sides of the top part (figure 2), as in claim 42, as well as, wherein the bottom part has an entry opening (opening defined between 32 and 33 to allow a sliding means to be contained), a web (60) and a pair of bottom slots (slot in elements 34 and 35) and a pair of runners (32 and 33) situated on exterior sides of the bottom part, a pair of locking arms (75) situated on the bottom part and each locking arm has a distal guide (77), an entry guide (78) and a lug (79), as in claim 43, and where the pair of coincide slots are formed by aligning the pair of top slots with the pair of bottom slots (the coincide slots are formed at the junction of the top slots and bottom slots; figure 2), as in claim 44.

Allowable Subject Matter

Claim 37 is allowed.

Claims 45-49, 52-66, 72 and 73 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The claims are allowable over the prior art of record because the teachings of the references taken as a whole do not teach or render obvious the combination set forth, including that of the sliding mean comprising a pair of channels each defined by a pair of webs, a distal end of the sliding means comprises a snap with a clip engageable by a tab, the snap is situated in-between a pair of returns each accompanied with a guide web, as well as a key enables withdrawal of the slide from the box once the pair of outwardly extending projections of the key engages the pair of lugs as the distal end of the key displaces the tab.

Response to Arguments

Applicant's arguments with respect to claim 38-44 and 50 have been considered but are moot in view of the new ground(s) of rejection as necessitated by the current amendment.

Applicant's arguments concerning claims 51, 67-71 and 74-75 filed December 27, 2007 have been fully considered but they are not persuasive. In regards to the argument that Mercier does not disclose a distal guide for the locking arms, as well as the locking arms being contained in the box, the examiner respectfully disagrees. The current claims are absent of any limitation requiring the locking arms to be completely internal of the box at all times, and thus, Mercier does disclose the locking arms contained within the box when the box is in the locked condition (figure 4c). Concerning the distal guide, the armature of the lock acts as a guide to the locking arms.

Regarding the argument that Mercier does not have anything that can be considered a lug, the examiner respectfully disagrees. A lug is defined as a projection piece that is used to lift,

support or turn something, wherein the end portions of the locking arms act as a lug in a coaxial situation to support the box in a locked condition, see figure 4c.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to multi-component locking receptacles:

U.S. Patent Number 6,347,848 to Cho; U.S. Patent Number 5,385,039 to Feldpausch et al.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER BOSWELL whose telephone number is (571)272-7054. The examiner can normally be reached on 9:00 - 4:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patricia Engle can be reached on (571) 272-6660. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christopher Boswell
Examiner
Art Unit 3673

/Patricia L Engle/
Supervisory Patent Examiner,
Art Unit 3673

/CJB/
March 28, 2008